

Sec.		Sec.	
	(a) In general.	13254.	Modification of goals; additional rulemaking authority.
	(b) Authorization of appropriations.		(a) Examination of goals.
13214.	Federal agency promotion, education, and coordination.		(b) Modification of goals.
	(a) Promotion and education.	13255.	Voluntary supply commitments.
	(b) Assistance in procurement and placement.	13256.	Technical and policy analysis.
13215.	Agency incentives program.		(a) Requirement.
	(a) Reduction in rates.		(b) Purposes.
	(b) Sunset provision.		(c) Publication.
13216.	Recognition and incentive awards program.	13257.	Fleet requirement program.
	(a) Awards program.		(a) Fleet program purchase goals.
	(b) Criteria.		(b) Early rulemaking.
	(c) Authorization of appropriations.		(c) Advance notice of proposed rulemaking.
13217.	Measurement of alternative fuel use.		(d) Proposed rule.
13218.	General Services Administration report.		(e) Determination.
13219.	United States Postal Service.		(f) Explanation of determination that fleet requirement program is not necessary.
	(a) Report.		(g) Fleet requirement program.
	(b) Coordination.		(h) Extension of deadlines.
	(c) Program criteria.		(i) Exemptions.
SUBCHAPTER II—ALTERNATIVE FUELS—NON-FEDERAL PROGRAMS			(j) Conversions.
13231.	Public information program.		(k) Inclusion of law enforcement vehicles and urban buses.
13232.	Labeling requirements.		(l) Consideration of factors.
	(a) Establishment of requirements.		(m) Consultation and participation of other Federal agencies.
	(b) Technical assistance and coordination.		(n) Petitions.
13233.	Data acquisition program.		(o) Mandatory State fleet programs.
13234.	Federal Energy Regulatory Commission authority to approve recovery of certain expenses in advance.	13258.	Credits.
	(a) Natural gas motor vehicles.		(a) In general.
	(b) Electric motor vehicles.		(b) Allocation.
13235.	State and local incentives programs.		(c) Use of credits.
	(a) Establishment of program.		(d) Transferability.
	(b) Federal assistance to States.	13259.	Secretary's recommendations to Congress.
	(c) General provisions.		(a) Recommendations to require availability or acquisition.
	(d) Definitions.		(b) Fair and equitable application.
	(e) Authorization of appropriations.	13260.	Effect on other laws.
13236.	Alternative fuel bus program.		(a) In general.
	(a) Cooperative agreements and joint ventures.		(b) Compliance by alternative fueled vehicles.
	(b) Limitations.	13261.	Prohibited acts.
	(c) School buses.	13262.	Enforcement.
	(d) Authorization of appropriations.		(a) Violation.
13237.	Certification of training programs.		(b) Willful violation.
13238.	Alternative fuel use in nonroad vehicles and engines.		(c) Knowing and willful violation following prior violation and penalty.
	(a) Nonroad vehicles and engines.	13263.	Powers of Secretary.
	(b) Definition of nonroad vehicles and engines.	13264.	Authorization of appropriations.
	(c) Designation.	SUBCHAPTER IV—ELECTRIC MOTOR VEHICLES	
13239.	Low interest loan program.	13271.	Definitions.
	(a) Establishment.	PART A—ELECTRIC MOTOR VEHICLE COMMERCIAL DEMONSTRATION PROGRAM	
	(b) Loan terms.	13281.	Program and solicitation.
	(c) Criteria.		(a) Program.
	(d) Priorities.		(b) Solicitation.
	(e) Authorization of appropriations.	13282.	Selection of proposals.
SUBCHAPTER III—AVAILABILITY AND USE OF REPLACEMENT FUELS, ALTERNATIVE FUELS, AND ALTERNATIVE FUELED PRIVATE VEHICLES			(a) Selection.
			(b) Criteria.
			(c) Conditions.
13251.	Mandate for alternative fuel providers.	13283.	Discount payments.
	(a) In general.		(a) Certification.
	(b) Revisions and extensions.		(b) Payment.
	(c) Option for electric utilities.		(c) Calculations of discount payments.
	(d) Report to Congress.	13284.	Cost-sharing.
13252.	Replacement fuel supply and demand program.		(a) Requirement.
	(a) Establishment of program.		(b) Reduction.
	(b) Development plan and production goals.	13285.	Reports to Congress.
			(a) Progress reports.
			(b) Report on encouraging purchase and use of electric motor vehicles.
13253.	Replacement fuel demand estimates and supply information.	13286.	Authorization of appropriations.
	(a) Estimates.	PART B—ELECTRIC MOTOR VEHICLE INFRASTRUCTURE AND SUPPORT SYSTEMS DEVELOPMENT PROGRAM	
	(b) Information.	13291.	General authority.
	(c) Protection of information.		

Sec.		Sec.	
	(a) Program.		(a) Study of barriers and environmental and safety aspects.
	(b) Eligibility.		(b) Information dissemination.
	(c) Coordination.		(c) Demonstration and commercial application program.
13292.	Proposals.	13337.	Metallurgical coal development.
	(a) Solicitation.	13338.	Utilization of coal wastes.
	(b) Criteria.		(a) Coal waste utilization program.
	(c) Projects.		(b) Use as boiler fuel.
13293.	Protection of proprietary information.	13339.	Underground coal gasification.
	(a) In general.		(a) Program.
	(b) "Domestic companies" defined.		(b) Demonstration projects.
13294.	Compliance with existing law.	13340.	Low-rank coal research and development.
13295.	Electric utility participation study.	13341.	Magnetohydrodynamics.
13296.	Authorization of appropriations.		(a) Program.
SUBCHAPTER V—RENEWABLE ENERGY			(b) Solicitation of proposals.
13311.	Purposes.	13342.	Oil substitution through coal liquefaction.
13312.	Renewable energy export technology training.		(a) Program direction.
	(a) Establishment of program.		(b) Program goals.
	(b) Purpose.		(c) Proposals.
	(c) Authorization of appropriations.	13343.	Authorization of appropriations.
13313.	Renewable Energy Advancement Awards.	PART B—CLEAN COAL TECHNOLOGY PROGRAM	
	(a) Authority.	13351.	Additional clean coal technology solicitations.
	(b) Selection criteria.		(a) Program design.
	(c) Selection.		(b) Additional solicitations.
	(d) Eligibility.	PART C—OTHER COAL PROVISIONS	
	(e) Authorization of appropriations.	13361.	Clean coal technology export promotion and interagency coordination.
	(f) Awards made in absence of appropriations.		(a) Establishment.
13314.	Study of tax and rate treatment of renewable energy projects.		(b) Membership.
13315.	Data system and energy technology evaluation.		(c) Consultation.
13316.	Innovative renewable energy technology transfer program.		(d) Duties.
	(a) Establishment of program.		(e) Data and information.
	(b) Purposes of program.		(f) Report.
	(c) Identification.	13362.	Innovative clean coal technology transfer program.
	(d) Financial mechanisms.		(a) Establishment of program.
	(e) Solicitations for project proposals.		(b) Purposes of program.
	(f) Assistance to United States firms.		(c) Identification.
	(g) Other program requirements.		(d) Financial mechanisms.
	(h) Selection of projects.		(e) Solicitations for project proposals.
	(i) United States-Asia Environmental Partnership.		(f) Assistance to United States firms.
	(j) Buy America.		(g) Other program requirements.
	(k) Reports to Congress.		(h) Selection of projects.
	(l) Definitions.		(i) United States-Asia Environmental Partnership.
	(m) Authorization of appropriations.		(j) Buy America.
13317.	Renewable energy production incentive.		(k) Reports to Congress.
	(a) Incentive payments.		(l) "Host country" defined.
	(b) Qualified renewable energy facility.		(m) Authorization of appropriations.
	(c) Eligibility window.	13363.	Conventional coal technology transfer.
	(d) Payment period.	13364.	Study of utilization of coal combustion by-products.
	(e) Amount of payment.		(a) "Coal combustion byproducts" defined.
	(f) Sunset.		(b) Study and report to Congress.
	(g) Authorization of appropriations.	13365.	Coal fuel mixtures.
SUBCHAPTER VI—COAL		13366.	National clearinghouse.
PART A—RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION			(a) Feasibility.
13331.	Coal research, development, demonstration, and commercial application programs.		(b) Authority to establish clearinghouse.
	(a) Establishment.	13367.	Coal exports.
	(b) Demonstration and commercial application programs.		(a) Plan.
	(c) Report.		(b) Plan contents.
	(d) Status reports.	13368.	Ownership of coalbed methane.
	(e) Consultation.		(a) Federal lands and mineral rights.
13332.	Coal-fired diesel engines.		(b) Affected States.
13333.	Clean coal, waste-to-energy.		(c) Failure to adopt statutory or regulatory procedure.
13334.	Nonfuel use of coal.		(d) Implementation by Secretary of the Interior.
	(a) Program.		(e) Spacing.
	(b) Plan contents.		(f) Spacing units.
13335.	Coal refinery program.		(g) Development under pooling arrangement.
	(a) Program.		(h) Escrow account.
	(b) Objectives.		
13336.	Coalbed methane recovery.		

- Sec.
- (i) Approval of Secretary of the Interior.
 - (j) Authorization to stimulate coal seam.
 - (k) Notice and objection.
 - (l) Plugging.
 - (m) Notice and objection by other parties.
 - (n) Venting for safety.
 - (o) Other laws.
 - (p) Definitions.

13369. Establishment of data base and study of transportation rates.
- (a) Data base.
 - (b) Study.
 - (c) Reports to Congress.
 - (d) Consultation with other agencies.
13370. Authorization of appropriations.

SUBCHAPTER VII—GLOBAL CLIMATE CHANGE

13381. Report.
13382. Least-cost energy strategy.
- (a) Strategy.
 - (b) Additional contents.
 - (c) Secretarial consideration.
 - (d) Priorities.
 - (e) Assumptions.
 - (f) Preference.
 - (g) Public review and comment.
13383. Director of Climate Protection.
13384. Assessment of alternative policy mechanisms for addressing greenhouse gas emissions.
13385. National inventory and voluntary reporting of greenhouse gases.
- (a) National inventory.
 - (b) Voluntary reporting.
 - (c) Consultation.
13386. Export of domestic energy resource technologies to developing countries.
13387. Innovative environmental technology transfer program.
- (a) Establishment of program.
 - (b) Purposes of program.
 - (c) Identification.
 - (d) Financial mechanisms.
 - (e) Solicitations for project proposals.
 - (f) Assistance to United States firms.
 - (g) Other program requirements.
 - (h) Eligible technologies.
 - (i) Selection of projects.
 - (j) United States-Asia Environmental Partnership.
 - (k) Buy America.
 - (l) Report to Congress.
 - (m) Definitions.
 - (n) Authorization of appropriations.
13388. Global Climate Change Response Fund.
- (a) Establishment of Fund.
 - (b) Restrictions on deposits.
 - (c) Use of Fund.
 - (d) Authorization of appropriations.

SUBCHAPTER VIII—REDUCTION OF OIL VULNERABILITY

13401. Goals.
- #### PART A—OIL AND GAS SUPPLY ENHANCEMENT
13411. Enhanced oil recovery.
- (a) Program direction.
 - (b) Program goals.
 - (c) Accelerated program plan.
 - (d) Proposals.
 - (e) Consultation.
 - (f) Authorization of appropriations.
13412. Oil shale.
- (a) Program direction.
 - (b) Program goals.
 - (c) Eastern oil shale program.
 - (d) Western oil shale program.
 - (e) Authorization of appropriations.
13413. Natural gas supply.
- (a) Program direction.

- Sec.
- (b) Proposals.
 - (c) Cofiring of natural gas and coal.
 - (d) Authorization of appropriations.
13414. Natural gas end-use technologies.
13415. Midcontinent Energy Research Center.
- (a) Finding.
 - (b) Purposes.
 - (c) Establishment.
 - (d) Research.

PART B—OIL AND GAS DEMAND REDUCTION AND SUBSTITUTION

13431. General transportation.
- (a) Program direction.
 - (b) Program plan.
 - (c) Proposals.
 - (d) "Alternative fuels" defined.
 - (e) Authorization of appropriations.
13432. Advanced automotive fuel economy.
- (a) Program direction.
 - (b) Program goal.
 - (c) Proposals.
13433. Alternative fuel vehicle program.
- (a) Program direction.
 - (b) Cooperative agreements and assistance.
 - (c) Definitions.
13434. Biofuels user facility.
13435. Electric motor vehicles and associated equipment research and development.
- (a) General.
 - (b) Comprehensive plan.
 - (c) Cooperative agreements.
 - (d) Solicitation of proposals.
 - (e) Cost-sharing.
 - (f) Deployment.
 - (g) Domestic parts manufacturers.
 - (h) Hold harmless.
 - (i) Consultation.
 - (j) Fuel cells for transportation.
 - (k) Definitions.
13436. Renewable hydrogen energy.
- (a) Program direction.
 - (b) Proposals.
13437. Advanced diesel emissions program.
- (a) Program direction.
 - (b) Program goal.
 - (c) Program plan.
 - (d) Solicitation of proposals.
13438. Telecommuting study.
- (a) Study.
 - (b) Report to Congress.

SUBCHAPTER IX—ENERGY AND ENVIRONMENT

PART A—IMPROVED ENERGY EFFICIENCY

13451. General improved energy efficiency.
- (a) Program direction.
 - (b) Program goals.
 - (c) Program plan.
 - (d) Proposals.
 - (e) Authorization of appropriations.
13452. Natural gas and electric heating and cooling technologies.
- (a) Program direction.
 - (b) Proposals.
13453. Pulp and paper.
- (a) Program direction.
 - (b) Proposals.
13454. Advanced buildings for 2005.
- (a) Program direction.
 - (b) Proposals.
13455. Electric drives.
- (a) Program.
 - (b) Proposals.
13456. Improving efficiency in energy-intensive industries.
- (a) Secretarial action.
 - (b) Joint ventures.

- Sec.
13457. Energy efficient environment program.
 (a) Program direction.
 (b) Identification of opportunities.
 (c) Report.
 (d) Proposals.
13458. Energy efficient lighting and building centers.
 (a) Purpose.
 (b) Grants for establishment.
 (c) Permitted activities.
 (d) Application.
 (e) Selection criteria.
 (f) Requirement of matching funds.
 (g) Task force.
 (h) Membership terms and administration of task force.
 (i) Report.
 (j) Authorization of appropriations.

PART B—ELECTRICITY GENERATION AND USE

13471. Renewable energy.
 (a) Program direction.
 (b) Program plan.
 (c) Authorization of appropriations.
13472. High efficiency heat engines.
 (a) Program direction.
 (b) Program goal.
 (c) Program plan.
 (d) Proposals.
 (e) Authorization of appropriations.
13473. Civilian nuclear waste.
 (a) Study.
 (b) Program.
 (c) Authorization of appropriations.
13474. Fusion energy.
 (a) Program.
 (b) Program goals.
 (c) Management plan.
 (d) Authorization of appropriations.
13475. Fuel cells.
 (a) Program direction.
 (b) Program goal.
 (c) Authorization of appropriations.
13476. Environmental restoration and waste management program.
 (a) Authorization of appropriations.
 (b) Long-term missions.
13477. High-temperature superconductivity program.
 (a) Program.
 (b) Authorization of appropriations.
13478. Electric and magnetic fields research and public information dissemination program.
 (a) Program.
 (b) Contents.
 (c) Role of Director.
 (d) Interagency Committee.
 (e) Advisory Committee.
 (f) Financial assistance.
 (g) Reports.
 (h) Conflicts of interest.
 (i) Definitions.
 (j) Authorization of appropriations.
 (k) Sense of Congress.
 (l) Sunset provision.
13479. Spark M. Matsunaga Renewable Energy and Ocean Technology Center.
 (a) Findings.
 (b) Purpose.
 (c) Establishment.
 (d) Administration.
 (e) Activities.
 (f) Matching funds.
 (g) Authorization of appropriations.

PART C—ADVANCED NUCLEAR REACTORS

13491. Purposes and definitions.
 (a) Purposes.

- Sec.
13492. Program, goals, and plan.
 (a) Program direction.
 (b) Program goals.
 (c) Program plan.
13493. Commercialization of advanced light water reactor technology.
 (a) Certification of designs.
 (b) First-of-a-kind engineering.
13494. Prototype demonstration of advanced nuclear reactor technology.
 (a) Solicitation of proposals.
 (b) Recommendation to Congress.
 (c) Selection of technology.
13495. Authorization of appropriations.

SUBCHAPTER X—ENERGY AND ECONOMIC GROWTH

13501. National Advanced Materials Program.
 (a) Program direction.
 (b) Program plan.
 (c) Proposals.
 (d) General Services Administration demonstration program.
 (e) Authorization of appropriations.
13502. National Advanced Manufacturing Technologies Program.
 (a) Program direction.
 (b) Program plan.
 (c) Proposals.
 (d) Authorization of appropriations.
13503. Supporting research and technical analysis.
 (a) Basic energy sciences.
 (b) University and science education.
 (c) Technology transfer.
 (d) Facilities support for multiprogram energy laboratories.
 (e) Authorization of appropriations.
13504. Math and science education program.
 (a) Program.
 (b) Purpose.
 (c) Support.
 (d) Cooperation with qualified entities.
 (e) Report.
 (f) Effect on existing programs.
 (g) "Qualified entity" defined.
 (h) Authorization of appropriations.
13505. Integration of research and development.
13506. Definitions.

SUBCHAPTER XI—POLICY AND ADMINISTRATIVE PROVISIONS

13521. Policy on major construction projects.
 (a) Report and management plan.
 (b) Congressional review.
13522. Energy Research, Development, Demonstration, and Commercial Application Advisory Board.
 (a) Establishment.
 (b) Responsibilities.
 (c) Use of existing advisory board.
13523. Management plan.
 (a) Plan preparation.
 (b) Contents of plan.
 (c) Energy technology inventory and status report.
 (d) Public comment.
 (e) Plan submission.
13524. Costs related to decommissioning and storage and disposal of nuclear waste.
 (a) Award of contracts.
 (b) Issuance of regulations.
 (c) Definitions.
13525. Limits on participation by companies.
13526. Uncosted obligations.
 (a) Report.
 (b) Definitions.

SUBCHAPTER XII—MISCELLANEOUS

PART A—GENERAL PROVISIONS

13541. Research, development, demonstration, and commercial application activities.

Sec.

- (a) Research, development, and demonstration.
 - (b) Commercial application.
 - (c) “Joint venture” defined.
 - (d) Protection of information.
 - (e) Guidelines and procedures.
 - (f) Application of section.
13542. Cost sharing.
- (a) Research and development.
 - (b) Demonstration and commercial application.
 - (c) Calculation of amount.
 - (d) Tennessee Valley Authority.

PART B—OTHER MISCELLANEOUS PROVISIONS

13551. Geothermal heat pumps.
13552. Use of energy futures for fuel purchases.
- (a) Fuel study.
 - (b) Report.
 - (c) Pilot program.
 - (d) Authorization of appropriations.
13553. Energy subsidy study.
- (a) In general.
 - (b) Report to Congress.
 - (c) Contents.
 - (d) Authorization of appropriations.
13554. Tar sands.
- (a) Policy.
 - (b) “Tar sands” defined.
 - (c) Study.
 - (d) Authorization of appropriations.
13555. Consultative Commission on Western Hemisphere Energy and Environment.
- (a) Findings.
 - (b) “Commission” defined.
 - (c) Negotiations.
 - (d) The Commission.
 - (e) Report.
13556. Disadvantaged business enterprises.
- (a) General rule.
 - (b) Definitions.

§ 13201. “Secretary” defined

For purposes of this Act, the term “Secretary” means the Secretary of Energy.

(Pub. L. 102-486, §2, Oct. 24, 1992, 106 Stat. 2782.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 102-486, Oct. 24, 1992, 106 Stat. 2776, known as the Energy Policy Act of 1992. For complete classification of this Act to the Code, see Short Title note below and Tables.

SHORT TITLE

Section 1(a) of Pub. L. 102-486 provided that: “This Act [see Tables for classification] may be cited as the ‘Energy Policy Act of 1992.’”

SUBCHAPTER I—ALTERNATIVE FUELS—GENERAL

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 13263 of this title.

§ 13211. Definitions

For purposes of this subchapter, subchapter II of this chapter, and subchapter III of this chapter (unless otherwise specified)—

(1) the term “Administrator” means the Administrator of the Environmental Protection Agency;

(2) the term “alternative fuel” means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more (or

such other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Secretary determines, by rule, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits;

(3) the term “alternative fueled vehicle” means a dedicated vehicle or a dual fueled vehicle;

(4) the term “comparable conventionally fueled motor vehicle” means a motor vehicle which is, as determined by the Secretary—

(A) commercially available at the time the comparability of the vehicle is being assessed;

(B) powered by an internal combustion engine that utilizes gasoline or diesel fuel as its fuel source; and

(C) provides passenger capacity or payload capacity the same or similar to the alternative fueled vehicle to which it is being compared;

(5) “covered person” means a person that owns, operates, leases, or otherwise controls—

(A) a fleet that contains at least 20 motor vehicles that are centrally fueled or capable of being centrally fueled, and are used primarily within a metropolitan statistical area or a consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of 250,000 or more; and

(B) at least 50 motor vehicles within the United States;

(6) the term “dedicated vehicle” means—

(A) a dedicated automobile, as such term is defined in section 32901(a)(7) of title 49; or

(B) a motor vehicle, other than an automobile, that operates solely on alternative fuel;

(7) the term “domestic” means derived from resources within the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other Commonwealth, territory, or possession of the United States, including the outer Continental Shelf, as such term is defined in the Outer Continental Shelf Lands Act [43 U.S.C. 1331 et seq.], or from resources within a Nation with which there is in effect a free trade agreement requiring national treatment for trade;

(8) the term “dual fueled vehicle” means—

(A) dual fueled automobile, as such term is defined in section 32901(a)(8) of title 49; or

(B) a motor vehicle, other than an automobile, that is capable of operating on alternative fuel and is capable of operating on gasoline or diesel fuel;

(9) the term “fleet” means a group of 20 or more light duty motor vehicles, used pri-